

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.4772 OF 2006

M/s.Butala Dadhe & Others .. Petitioners.
Vs.
Shri Shrinivas Ramchandra
Deo & Others .. Respondents.

Mr.R.M.Sanghavi for the petitioners.
Mr.Sanjay Prabhu i/b Mr.Mandar Limaye for
respondent no.1.

CORAM : D.B.BHOSALE, J.

DATED : 23RD AUGUST, 2006

P.C.:

. Heard learned counsel for the petitioners and
respondent no.1.

2. This petition is directed against the
following order:

. "Perused application alongwith the
affidavit & say heard both sides considering
the submissions I pass the following order:

. Application is allowed subject to
deposit of compensation at Rs.4000/- from date
of suit within period of two weeks".

3. The aforesaid order was passed on the
application filed by the petitioners wherein they had
prayed for stay to the judgment and decree dated
10.2.2006 in R.C.S.No.1361/2000 passed by the Civil

Judge, Junior Division, Pune till the final disposal of the appeal. From bare perusal of the impugned order I do not find any reason as to why the petitioners have challenged this order. As a matter of fact their application for stay was allowed on the condition and the condition is such which I do not find it difficult to comply with. In the circumstances I see no reason to exercise the writ jurisdiction of this Court under Article 227 of the Constitution to interfere with such order. If the petitioners have not deposited the amount of Rs.4,000/- within the time stipulated in the impugned order so far they may do so within a period of two weeks from today. With these observations the writ petition is disposed of.

(D.B.Bhosale, J.)